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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,421

01/26/2004

Takashi Ooto

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LEYDIG VOIT & MAYER, LTD  
700 THIRTEENTH ST. NW  
SUITE 300  
WASHINGTON, DC 20005-3960

EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

12/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/763,421	<b>Applicant(s)</b> OOTO, TAKASHI	
	<b>Examiner</b> CHIKAODILI E. ANYIKIRE	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9/03/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,9,11-15,17 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 9 and 13-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This application is responsive to application number (10763421) filed on January 26, 2004. Currently claims 1-5, 7, 9, 11-15, 17, and 19-21 are pending and have been examined.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/12/2008 has been entered.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

Art Unit: 2621

3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 1-5, 7, and 11-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Cole (US 6,475,087) in view of Inoue (US 2001/0043293).

As per **claim 1**, Cole discloses a gaming machine comprising:

a cabinet (Fig 4, element 22; Col 7 Ln 52-59);

a door openably and closably supported by the cabinet (Fig 4, element 34; Col 7 Ln 60-65);

a liquid crystal display unit which is supported by the door and which provides, at a front side of the liquid crystal display unit, an image associated with a game (Fig 4, element 190; Col 8 Ln 34-44);

a transparent member which is supported by the door and through which the image provided by the liquid crystal display unit is visible (Fig 4, element 66; Col 8 Ln 60-65), wherein the door includes

a frame partially located at a backside of the liquid crystal display unit (Fig 5, element 74; col 8 Ln 20-25; the support is the frame and takes a partial piece of the liquid crystal display as seen in the Fig 5),

a cover located at the front side of the liquid crystal display unit, covering a peripheral portion of the liquid crystal display unit (Col 6 Ln 27-53), and having a central opening so that the front side of the liquid crystal display unit is exposed through the central opening and is visible through the transparent member (Col 8 Ln 8-55); and

a buffer (Fig 2 elements 62-64) provided between the liquid crystal display unit and the frame (col 8 lines 51-54; Cole explains that the elements can be used as supporters between the door and cabinet, which the frame being a part of the cabinet addresses the claim limitation).

However, Cole does not explicitly teach a rubber buffer.

In the same field of endeavor, Inoue discloses a rubber buffer (Fig 1B, element 7; paragraph [0040]; the cushion between the LCD and a frame is a rubber material as specified by the [0040] lines 1-2).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

As per **claim 2**, Cole discloses the gaming machine according to claim 1, wherein the transparent member is a glass plate or a touch panel (Fig 4, element 66; Col 8 Ln 34-44).

As per **claim 3**, Cole discloses the gaming machine according to claim 1, wherein a plurality of buffers each being identical with the buffer are provided (Fig 2, element 62-64; col 8 lines 51-54).

However, Cole does not explicitly teach a rubber buffer.

In the same field of endeavor, Inoue discloses a rubber buffer (Fig 1B, element 7; paragraph [0040]; the cushion between the LCD and a frame is a rubber material as specified by the [0040] lines 1-2).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

As per **claim 4**, Cole discloses the gaming machine according to claim 1, the buffer (Fig 2, element 62-64) supports the liquid crystal display unit (Fig 4, element 190) and the transparent member (Fig 4, element 66) keeping a distance therebetween (Col 8 Ln 51-54).

However, Cole does not explicitly teach a rubber buffer.

In the same field of endeavor, Inoue discloses a rubber buffer (Fig 1B, element 7; paragraph [0040]; the cushion between the LCD and a frame is a rubber material as specified by the [0040] lines 1-2).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

As per **claim 5**, Cole discloses the gaming machine according to claim 1, wherein the buffer has a first groove in which the liquid crystal display unit is inserted and a second groove distant from the first groove in which the transparent member is inserted (Fig 3, elements 62-64; Col 8 Ln 26-54; the prior art discloses supports for the window and display, which would holds the window and display).

However, Cole does not explicitly teach a rubber buffer.

In the same field of endeavor, Inoue discloses a rubber buffer (Fig 1B, element 7; paragraph [0040]; the cushion between the LCD and a frame is a rubber material as specified by the [0040] lines 1-2).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

As per **claim 7**, Cole discloses the gaming machine according to claim 4.

However, Cole does not explicitly teach wherein the frame has a recess in which the liquid crystal display unit, held by the rubber buffer, is located.

In the same field of endeavor, Inoue discloses wherein the frame has a recess in which the liquid crystal display unit, held by the rubber buffer, is located (Fig 1c element 8a; paragraph [0038]-[0039]; the recess is described as part of the cover, which acts part of the frame).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

Regarding **claim 11**, arguments analogous to those presented for claim 7 are applicable for claim 11.

As per **claim 12**, Cole discloses the gaming machine according to claim 1, wherein the transparent member (Fig 4, element 66) has at least one corner, and the gaming machine further comprising a second buffer (Fig 2 elements 62-64) which covers the corner of the transparent member (Figs 4 and 5; Col 7 Ln 60 – Col 8 Ln 55;

Cole discloses supporting the transparent member and the transparent member being a window in a square shape has an inherent 4 corners).

However, Cole does not explicitly teach a rubber buffer.

In the same field of endeavor, Inoue discloses a rubber buffer (Fig 1B, element 7; paragraph [0040]; the cushion between the LCD and a frame is a rubber material as specified by the [0040] lines 1-2).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Cole with the rubber buffer of Inoue. The advantage is an increase in frictional force (paragraph [0040] lines 11-13).

### ***Allowable Subject Matter***

6. Claims 9 and 13-21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIKAODILI E. ANYIKIRE whose telephone number is (571)270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272 - 7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621  
/CEA/